

REMARKS

Claims 1, 10-23, 25 and 27-32 are pending in the application.

Claims 4-9 and 24 are cancelled from the application without prejudice above.

The application claims are amended above primarily to direct them to a liner component.

No new matter has been added to the application by way of these claim amendments.

I. THE CLAIM AMENDMENTS

The application currently includes a single independent claim 1. All other claims pending in the application are dependent directly or indirectly upon claim 1. Independent claim 1 is amended above to direct it to a “liner”. The liner includes unique features – discussed below - that are now common to all pending application claims. Claims 10-19 and 22-23 are also been amended to direct them to aspects of the liner of independent claim 1. Claims 29-31 are amended above to make them dependent upon claim 1.

II. THE RESTRICTION REQUIREMENT

A. The Restriction Requirement Traverse

The examiner’s restriction requirement is traversed because the currently pending claims all possess a single inventive concept. i.e., common special technical features that are unique to the claimed invention. In particular, claim 1 is amended above to direct it to a “liner”. As a result, independent claim 1 and all remaining claims, by virtue of their dependence upon claim 1, share at least the common special technical feature of “a liner that includes a first portion and a second portion, the first and second portions comprising different ratios of filler to matrix“.

The examiner suggested that DE3424867 anticipated claim 1. However, there is absolutely no disclosure in DE342867 of a liner that includes the special technical feature recited above. For at least this reason DE342867 does not destroy the unity of invention and all pending claims must, therefore, be examined together.

B. The Species Selection Requirement

The examiner required the applicant to elect several species for examination purposes. The Applicant responds to the requirement to choose from among several groups of species as follows:

- As between Species A and B, the Applicant chooses Species A – a shaped charge liner.
- The requirement for selection between Species C and D is moot as the claims directed to the species are now cancelled. However, to the extent that an election is still required for examination purposes, the Applicant chooses Species C.
- The requirement for selection between Species E and F – flake or fiber – is traversed and should be withdrawn. The flake or fiber feature describes the final filler form. The identified Species are not essential features of the claimed invention and the requirement to choose one of the two Species should be withdrawn for at least this reason. To the extent that a choice is still required, the Applicant chooses Species F.
- The requirement for selection between Species G and H is also traversed. The choice of the filler material being metallic or non-metallic is not an essential feature of the claimed invention. The requirement that the Applicant chose from among the two Species should, therefore be withdrawn. To the extent that a choice is still required, the Applicant chooses Species G.

C. The Provisional Election

The Applicant provisionally elects to continue with the examination of claims directed to the Group IV invention, namely a liner for a shaped charge perforator. Group IV is believed to encompass all currently pending application claims.

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